



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 23327

PERMIT 15956

LICENSE 10488

THIS IS TO CERTIFY, That

RICHARD M. DAY, MICHAEL DAY, D. A. HEIL AND  
KENNETH W. CLARKE *Over*  
C/O RICHARD M. DAY,  
423 SOUTH FIRST AVENUE, ARCADIA, CALIFORNIA 91006

HAVE made proof as of JUNE 20, 1974 (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
DIP CREEK IN SAN LUIS OBISPO COUNTY

tributary to NACIMIENTO RIVER THENCE SALINAS RIVER

for the purpose of STOCKWATERING, RECREATIONAL AND FIRE PROTECTION USES  
under Permit 15956 of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from AUGUST 13, 1969 and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed SIXTEEN AND SEVEN-TENTHS (16.7) ACRE-Feet PER ANNUM, TO  
BE COLLECTED FROM OCTOBER 1 OF EACH YEAR TO JUNE 15 OF THE SUCCEEDING YEAR.

AFTER THE INITIAL FILLING OF THE RESERVOIR, LICENSEE'S RIGHT UNDER THIS  
LICENSE EXTENDS ONLY TO WATER NECESSARY TO KEEP THE STORAGE RESERVOIR FULL BY  
REPLACING WATER BENEFICIALLY USED AND WATER LOST BY EVAPORATION AND SEEPAGE,  
AND TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 1,720 FEET AND WEST 1,000 FEET FROM SE CORNER OF SECTION 11, T26S, R10E,  
MDB&M, BEING WITHIN NE1/4 OF SE1/4 OF SAID SECTION 11.

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

AT RESERVOIR WITHIN NE1/4 OF SE1/4 OF SECTION 11, T26S, R10E, MDB&M.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR  
AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS  
SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER  
ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT  
STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY  
TO SATISFY DOWNSTREAM PRIOR RIGHTS.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE  
SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE OR FOR ANY OTHER PURPOSE.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAY 22 1975

STATE WATER RESOURCES CONTROL BOARD

R. J. Roudsger  
Chief, Division of Water Rights

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- THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

- LICENSEE SHALL MAINTAIN A STAFF GAGE IN HIS RESERVOIR MEETING THE APPROVAL OF THE STATE WATER RESOURCES CONTROL BOARD FOR THE PURPOSE OF DETERMINING WATER LEVELS IN THE RESERVOIR.

- LICENSEE SHALL SUPPLY THE STAFF GAGE READING ON OR ABOUT OCTOBER 1 OF EACH YEAR, VERIFIED BY DONN BONNHEIM OR HIS DESIGNATED REPRESENTATIVE, TO THE STATE WATER RESOURCES CONTROL BOARD.

- THIS LICENSE IS EXPRESSLY SUBJECT TO THE PRIOR RIGHTS OF DONN BONNHEIM TO COLLECT WATER TO STORAGE UNDER LICENSE 6196 (APPLICATION 16811) AND LICENSE 6197 (APPLICATION 17981). IF THE BONNHEIM RESERVOIR DOES NOT FILL BY THE END OF THE RAINY SEASON, LICENSEE SHALL RELEASE WATER COLLECTED IN HIS RESERVOIR SUBSEQUENT TO OCTOBER 1 OF THE PRECEDING YEAR TO THE EXTENT NECESSARY TO FILL THE BONNHEIM RESERVOIR. IN NO EVENT SHALL LICENSEE BE OBLIGATED TO RELEASE WATER BELOW THE STAFF GAGE READING OF THE PREVIOUS OCTOBER.

- LICENSEE SHALL ALLOW DONN BONNHEIM, OR HIS DESIGNATED REPRESENTATIVE, OR HIS SUCCESSOR IN INTEREST, REASONABLE ACCESS TO HIS RESERVOIR TO DETERMINE WHETHER WATER SHOULD BE RELEASED IN ACCORDANCE WITH THIS LICENSE.

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A TROUBLESHOOTING GUIDE TO THE MOST COMMON PROBLEMS THAT MAY OCCUR DURING THE  
 OPERATION OF THE SYSTEM. THE GUIDE IS INTENDED TO BE USED BY THE OPERATOR  
 OF THE SYSTEM TO IDENTIFY THE PROBLEM AND TO TAKE THE APPROPRIATE ACTION TO  
 CORRECT THE PROBLEM. THE GUIDE IS NOT A SUBSTITUTE FOR THE INSTRUCTIONS  
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[illegible]

STATE OF NEW YORK: IN SENATE, JANUARY 10, 1906.  
REPORT OF THE COMMISSIONERS OF THE LAND OFFICE.  
ALBANY: J. B. LEECH, STATE PRINTER, 1906.

[illegible][illegible]

9-25-78 Records chgd to Show Richard M. Day, D. A. Neil &  
Kenneth W. Clarke as owners  
5-29-81 Int of Richard M. Day and to S. A. Neil & Kenneth  
W. Clarke